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(6) All waters of Kaumalapau Harbor, Lanai inland from a line drawn between 20° 47'10" N, 156° 59'32" W and 21° 47'01" N, 156° 59'31" W;

(7) All waters of Kahului Harbor, Maui inland from a line drawn between 20° 54'01" N, 156° 28'26" W and 20° 54'02" N, 156° 28'18" W;

(8) All waters of Kawaihae Harbor, Hawaii immediately adjacent to commercial piers 1 and 2 extending out to 100 yards from the piers faces.

(9) All waters of Hilo Harbor, Hawaii immediately adjacent to commercial piers 1 and 2 extending out to 100 yards from the piers faces.

(10) The activation of these safety zones may include any combination of these harbors, or all of these harbors, dependent upon details in the tsunami warning. These safety zones extend from the surface of the water to the ocean floor.

(b) *Regulations.* When the safety zones are activated and, therefore, subject to enforcement, no person or vessel may enter or remain in the safety zone except for support vessels, support personnel, and other vessels authorized by the Captain of the Port, Sector Honolulu (COTP), or a designated representative of the COTP. All commercial vessels must evacuate the harbor and transit seaward beyond the 50 fathom (300 foot) curve. These commercial harbors will remain closed to all transiting vessels until the Captain of the Port Honolulu lifts the evacuation order. All other applicable regulations in 33 CFR 165 remain in effect and subject to enforcement. You may contact the Coast Guard on VHF Channel 16 (156.800 MHz) or at telephone number 808-842-2600 to obtain clarification on safety zone transits and locations. Coast Guard patrol boats will be enforcing the safety zones and providing on-scene direction. Any vessel not capable of evacuating must contact the Coast Guard Sector Command Center at (808) 842-2601 to request a waiver from evacuating the harbor.

(c) *Enforcement period.* Paragraph (b) of this section will be enforced when a tsunami warning has been issued for the Hawaiian Islands. The COTP will notify the public of any enforcement through the following means to ensure the widest publicity: Broadcast notice

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to mariners, notices of enforcement, press releases and the Coast Guard's Homeport Web site. Following the passage of the tsunami or tsunami threat and harbor assessments as required, deactivation of these safety zones will be conducted through radio broadcast by the U.S. Coast Guard.

(d) *Penalties.* Vessels or persons violating this rule would be subject to the penalties set forth in 33 U.S.C. 1232.

[USCG-2013-0021, 78 FR 63383, Oct. 24, 2013]

§ 165.1401 Apra Harbor, Guam—safety zones.

(a) The following is designated as Safety Zone A—The waters of the Pacific Ocean and Apra Outer Harbor encompassed within an arc of 725 yards radius centered at the center of Wharf H. (Located at 13°27'47" N and 144°39'01.9" E. Based on World Geodetic System 1984 Datum)

(b) The following is designated Safety Zone B—The waters of Apra Outer Harbor encompassed within an arc of 680 yards radius centered at the center of Naval Wharf Kilo. (Located at 13°26'43" N, 144°37'46.7" E. Based on World Geodetic system 1984 Datum)

(c) *Special regulations.* (1) Section 165.23 does not apply to Safety Zone A and/or Safety Zone B, except when Wharf H and/or Naval Wharf Kilo, or a vessel berthed at Wharf H and/or Naval Wharf Kilo, is displaying a red (BRAVO) flag by day or a red light by night.

(2) In accordance with the general regulations in 165.23 of this part, entry into these zones is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]

§ 165.1402 Apra Outer Harbor, Guam—regulated navigation area.

(a) The following is a regulated navigation area—The waters of the Pacific Ocean and Apra Outer Harbor enclosed by a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to Spanish Rocks at latitude 13°27'09.5" N, longitude 144°37'20.6" E; thence along the shoreline of Apra Outer Harbor to latitude 13°26'28.1" N, longitude 144°39'52.5" E (the northwest corner of

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Polaris Point); thence to latitude 13°26'40.2" N, longitude 144°39'28.1" E; thence to latitude 13°26'32.1" N, longitude 144°39'02.8" E; thence along the shoreline of Apra Outer Harbor to Orote Point at latitude 13°26'42" N, longitude 144°36'58.5" E; thence to the beginning. (Based on WGS 84 Datum)

(b) Regulations:

(1) Except for public vessels of the United States, vessels may not enter Apra Outer Harbor without permission of the Captain of the Port if they have on board more than 25 tons of high explosives.

(2) Except for vessels not more than 65 feet in length, towboats or tugs without tows, no vessel may pass another vessel in the vicinity of the Outer Harbor entrance.

(3) Vessels over 100 gross tons shall:

(i) Steady on the entrance range at least 2 miles west of the entrance when approaching Apra Outer Harbor and;

(ii) [Reserved]

(iii) Steady on the range when departing Apra Outer Harbor.

(4) Vessels may not anchor in the fairway. The fairway is the area within 375 feet on either side of a line beginning at latitude 13°26'47" N, longitude 144°35'07" E; thence to latitude 13°27'14.1" N, longitude 144°39'14.4" E; thence to latitude 13°26'35.2" N, longitude 144°39'46.4" E; thence to latitude 13°26'30.8" N, longitude 144°39'44.4" E. (Based on WGS 84 Datum)

(5) Vessels over 100 gross tons may not proceed at a speed exceeding 12 knots within the harbor.

(6) No vessel may leave Apra Outer Harbor until any inbound vessel over 65 feet in length has cleared the Outer Harbor Entrance.

[CGD 79-034, 47 FR 29660, July 8, 1982, as amended by CGD 96-026, 61 FR 33669, June 28, 1996; USCG-1998-3799, 63 FR 35533, June 30, 1998]

§ 165.1403 Security Zones; Tinian, Commonwealth of the Northern Mariana Islands.

(a) *Location.* The following areas are security zones:

(1) The waters of the Pacific Ocean off Tinian between 14°59'04.9" N, 145°34'58.6" E to 14°59'20.1" N, 145°35'41.5" E to 14°59'09.8" N, 145°36'02.1" E to 14°57'49.3" N, 145°36'28.7" E to 14°57'29.1"

N, 145°35'31.1" E and back to 14°59'04.9" N, 145°34'58.6" E. This zone will be enforced when one, or more, of the Maritime Preposition Ships is in the zone or moored at Mooring A located at 14°58'57.0" N and 145°35'40.8" E or Mooring B located at 14°58'15.9" N, 145°35'54.8" E.

(2) Additionally, a 50-yard security zone in all directions around Moorings A and B will be enforced when no vessels are moored thereto but mooring balls are anchored and on station.

NOTE TO § 165.1403(a): All positions of latitude and longitude are from International Spheroid, Astro Pier 1944 (Saipan) Datum (NOAA Chart 81071).

(b) *Regulations.* (1) In accordance with general regulations in § 165.33 of this part, entry into this security zone is prohibited unless authorized by the Captain of the Port.

[COTP Honolulu Reg. 86-08, 51 FR 42220, Nov. 24, 1986, as amended by USCG-2001-9286, 66 FR 33642, June 25, 2001; COTP Guam 07-005, 72 FR 65460, Nov. 21, 2007]

§ 165.1404 Apra Harbor, Guam—security zone.

(a) The following is designated as Security Zone C—The waters of Apra Outer Harbor, Guam surrounding Naval Mooring Buoy No. 702 (Located at 13°27'30.1" N and 144°38'12.9" E. Based on World Geodetic System 1984 Datum) and the Maritime Prepositioning ships moored thereto. The security zone will extend 100 yards in all directions around the vessel and its mooring. Additionally, a 50 yard security zone will remain in effect in all directions around buoy No. 702 when no vessel is moored thereto.

(b) In accordance with the general regulations in § 165.33 of this part, entry into Security Zone C is prohibited unless authorized by the Captain of the Port, Guam.

[COTP Guam Reg. 89-001, 55 FR 18725, May 4, 1990]